UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE at CHATTANOOGA

THOMAS WILLARD PLANK,)
Plaintiff,)
V.) Case No. 1:06-cv-31
SHAW INDUSTRIES, INC.,)
Defendant.)

JUDGMENT

This case came before the Court on the motion for summary judgment by defendant Shaw Industries, Inc. The Honorable Harry S. Mattice, Jr., United States District Judge, having rendered a decision on the defendant's motion,

It is **ORDERED and ADJUDGED**:

that plaintiff Thomas Willard Plank take nothing, that the action be **DISMISSED WITH PREJUDICE** on the merits, and that defendant Shaw Industries, Inc. recover of plaintiff Thomas Willard Plank its costs of action.

Dated at Chattanooga, Tennessee, this 5th day of February, 2007.

/s/ Patricia L. McNutt
PATRICIA L. McNUTT
CLERK OF COURT